

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
MILTON THOMAS, SR.,	:	Chapter 13
	:	
Debtor.	:	Bky. No. 04-10175 ELF
<hr/>	:	
	:	
MILTON THOMAS, SR.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
	:	Adv. No. 19-043
CITY OF PHILADELPHIA, <u>et al.</u>,	:	
	:	
Defendants.	:	

PRETRIAL ORDER#2

AND NOW, the plaintiff having filed an adversary proceeding and the defendants having filed a responsive pleading, it is hereby **ORDERED** that:

1. The requirements of Fed. R. Civ. P. 26(a)(1) shall not apply in this adversary proceeding.
2. The following discovery and trial schedule shall be considered by the parties in their deliberations at their discovery conference:
 - a. All discovery shall be completed on or before **December 31, 2019**.
 - b. All expert witnesses shall be identified and a copy of each expert's report shall be provided to every other party, in accordance with Fed. R. Civ. P. 26(a)(2) on or before **January 20, 2020**.
 - c. All discovery disclosures pursuant to Fed. R. Civ. P. 26(a)(3) shall be served on opposing parties and filed with the bankruptcy court on or before **January 27, 2020**.
 - d. Any objections to Rule 26(a)(3) disclosures shall be served on opposing counsel and filed with the bankruptcy court on or before **February 3, 2020**.

- e. All motions to amend the pleadings, or for summary judgment,¹ shall be filed **on or before February 10, 2020**. If such a motion or motions is/are filed, the parties are **not relieved** of their obligation to comply with the terms of the balance of this Pretrial Order.
 - f. No Joint Pre-Trial Statement will be required.
- 6. A mandatory final pretrial/settlement conference shall be held on **March 18, 2020, at 10:00 a.m., in Bankruptcy Courtroom No. 1, Robert N.C. Nix Federal Building & Courthouse, 900 Market Street, Second Floor, Philadelphia, Pennsylvania.**
 - 7. If the adversary proceeding is not resolved prior to the conclusion of the final pretrial/settlement conference, the adversary proceeding shall be set down for trial at the Court's first available date.
 - 8. Each party may file, no later than five (5) days prior to the date of trial, a trial memorandum with service on the opposing part(y)(ies) and a courtesy copy delivered to Chambers. **The trial may be continued only in exceptional circumstances on Motion and leave of Court.**
 - 9. All trial exhibits shall be pre-marked and exchanged at least three (3) business days prior to the date of trial.



Date: October 31, 2019

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE

cc: Milton Thomas
140 W. Spencer Avenue
Philadelphia, PA 19120

¹ A motion for summary judgment shall include a separate statement of those material facts that the movant contends are not in dispute with supporting citations to the record. Failure to comply with this requirement shall be grounds for summary denial of the motion.